

Arkabutla Lake
Tracts Nos. 1515E-1 and E-2

PERPETUAL EASEMENT DEED

FOR AND IN CONSIDERATION of the sum of TWO HUNDRED AND NO/100 DOLLARS (\$200.00), cash in hand paid, the receipt and sufficiency of which are hereby acknowledged, We, ROBERT W. OSWALT and wife, MARIE E. OSWALT, Grantors, do hereby SELL, CONVEY and WARRANT unto the UNITED STATES OF AMERICA and its assigns, Grantee, a perpetual right, power, privilege and easement occasionally to overflow, flood and submerge the land in connection with the operation and maintenance of the Yazoo Basin Headwater Project, Mississippi, as authorized by the Act of Congress approved May 15, 1928 (45 Stat. 536, 33 U.S.C. 702a, et seq.), as amended by the Acts of Congress approved June 15, 1936 (49 Stat. 1508, 33 U.S.C. 702a-1, et seq.) and July 24, 1946 (Public Law 526 - 79th Congress - 2d Session), and as further amended and supplemented; provided that no structures of any nature or kind shall be constructed or maintained on the land except as may be approved in writing by the representative of the United States in charge of the project, and that no excavation shall be conducted and no landfill placed on the land without such approval as to the location and method of excavation and/or placement of landfill; the above estate is taken subject to existing easements for public roads and highways, public utilities, railroads and pipelines; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used and enjoyed without interfering with the use of the project for the purposes authorized by Congress or abridging the rights and easement hereby acquired; including the right to maintain on the land the existing structures and improvements including those designed for human habitation located thereon; provided further that any use of the land shall be subject to Federal and State laws with respect to pollution, on, over and across the land, more particularly described as follows, to wit:

Tract No. 1515E-1

That part of Lot 5, Pleasant Hill Homesites, being part of the NW 1/4 NE 1/4 and the SW 1/4 NE 1/4 of Section 36, Township 3 South, Range 9 West, DeSoto County, Mississippi, located in the northeast part of said lot, lying below the 244-foot contour, m.s.l., containing 0.04 acre, more or less, as per map on file in the office of the U. S. Army Engineer District, Vicksburg, Mississippi.

Tract No. 1515E-2

That part of Lot 5, Pleasant Hill Homesites, being part of the SW 1/4 NE 1/4 of Section 36, Township 3 South, Range 9 West, DeSoto County, Mississippi, located in the southeast part of said lot, lying below the 244-foot contour, m.s.l., containing 0.01 acre, more or less, as per map on file in the office of the U. S. Army Engineer District, Vicksburg, Mississippi.

Subject, also, to oil, gas and other minerals outstanding in third parties.

The Department of the Army, Vicksburg District, Corps of Engineers, Vicksburg, Mississippi, is the agency for which the land is being acquired.

For the consideration aforesaid, the Grantors agree to discharge, release, and hold harmless the United States of America and its assigns from any and all damages, past, present and future, that may be occasioned by or result from the exercise of said rights, privileges and easements granted herein.

WITNESS our signatures this 7th day of FEB, 1978.

Robert W. Oswalt
ROBERT W. OSWALT

Marie E. Oswalt
MARIE E. OSWALT

ACKNOWLEDGMENT

STATE OF TENN.)
 COUNTY OF Shelby)

PERSONALLY appeared before me, the undersigned authority in and for the County and State aforesaid, ROBERT W. OSWALT and MARIE E. OSWALT, who acknowledged that they signed and delivered the foregoing instrument on the day and year therein mentioned as their voluntary act and deed.

GIVEN under my hand and official seal, this the 7th day of FEB., 1978.

Wm A Harris, Jr.
 Notary Public

My Commission Expires:

MY COMMISSION EXPIRES OCTOBER 2, 1978



STATE OF MISSISSIPPI, DESOTO COUNTY

I certify that the within instrument was filed for record at 4 o'clock
28 minutes P.M. 1 day of Mar. 1978, and that the same has been recorded
 in Book 140 Page 272 records of Wright of Way Deeds of said County.
 Witness my hand and seal this the 3 day of March 1978.
 Fees \$4.50 Pd. SEAL W. H. Ferguson CLERK